



PATENT

Case Docket No. JENENT.2CP1D1

Date: November 30, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : R. Russell Stever, et al.
Appl. No. : 10/681,766
Filed : October 8, 2003
For : STORMWATER TREATMENT
APPARATUS AND METHOD
Group Art Unit : 1724
Class/Sub-Class : 210-747000
Examiner : Frank M. Lawrence, Jr.

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 30, 2005

(Date)

Edward A. Schlatter, Reg. No. 32,297

TRANSMITTAL LETTER

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing is the Issue Fee for the above-identified application:

- (X) Form PTOL-85.
- (X) Comments on Statement of Reasons for Allowance
- (X) A check in the amount of \$1730 to cover the issue fee, publication fee, and advanced order of copies is enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

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CERTIFICATE OF MAILING

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Reasons for Allowance in the Notice of Allowability mailed September 1, 2005, Applicants respectfully submit the following comments.

General Comments

Applicants do not necessarily agree with the Examiner's characterization of the prior art of record. Applicants note the Examiner's statements that "claims 44 and 54 have been amended to recite that the inactive pool is formed by at least a first pair of inactive pool baffles, each of the baffles extending upward from a bottom of a receptacle, but not above the permanent pool level which is defined by the outlet opening, the inactive pool being gravitationally below the active pool, which is not disclosed or suggested in the prior art of record. With respect to claim 51, it has been amended to incorporate the limitations of claim 44, and the final recited trapping step is not disclosed or suggested in the prior art of record." Applicants do not believe that it is a fair interpretation of the foregoing statements that the limitations explicitly listed by the Examiner are the only limitations that distinguish the allowed claims from the prior art of record. Further, under such an interpretation, Applicants would not necessarily agree that the listed limitations are the only limitations that distinguish the allowed claims from the prior art of record.

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Reservation of Rights

Applicants reserve the right to present arguments contrary to the Examiner's characterization of the prior art of record during the prosecution of any continuing application. Applicants further reserve the right to present claims in any continuing application that lack one or more of the limitations explicitly listed by the Examiner in the Examiner's Statement of Reasons for Allowance.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: November 30, 2005

By: 
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